

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>TIMOTHY WILLIAMS</b>	)	<b>CIVIL ACTION NO. 2:07cv742-MEF</b>
	)	
<b>Petitioner,</b>	)	<b>(CR. NO. CR-05-216-F)</b>
	)	
<b>v.</b>	)	
	)	
<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>Respondent.</b>	)	

**AFFIDAVIT**

**STATE OF ALABAMA**                    )  
  )  
**COUNTY OF MONTGOMERY**        )

I, TIFFANY B. MCCORD, state the following:

1. I am an attorney admitted to practice law in Alabama, the Middle District of Alabama and the Court of Appeals for the Eleventh Circuit. I have been licensed to practice law in Alabama since 2002.
2. In order to prepare this affidavit, I have reviewed the my office case file in *United States v. Timothy Williams*, CR-05-216. Details not contained in the case file and pleadings are based upon my best recollection of the events surrounding my representation of Mr. Williams.
3. I was appointed to represent Mr. Williams after his prior counsel asked to withdraw due to a conflict of interest. However, Mr. Williams had already entered into a plea agreement, changed his plea to guilty, and conducted a pre-sentence interview prior to my representation of him.
4. Mr. Williams raises three separate claims of ineffective assistance of counsel in his §2255

petition: (1) counsel's failure to raise subject matter jurisdiction challenges; (2) that his arrest was unlawful; and (3) counsel's failure to file a direct appeal. Because I only represented Mr. Williams through his sentencing, I do not have any information as it relates to the first two claims.

5. As to the final claim, Mr. Williams signed and filed a plea agreement wherein he waived his right to appeal.
6. I communicated with Mr. Williams numerous times concerning his sentence and his case. In those communications, we discussed a direct appeal. Mr. Williams never indicated his desire to appeal his case. Additionally, based upon my review of the facts and circumstances of his case, there were no meritorious issues to appeal. Consequently, an appeal was not filed on his behalf. Mr. Williams claims of ineffective assistance of counsel are without merit.

Dated this the 10<sup>th</sup> day of September 2007.



**TIFFANY B. MCCORD**

ASB-3669-F69M

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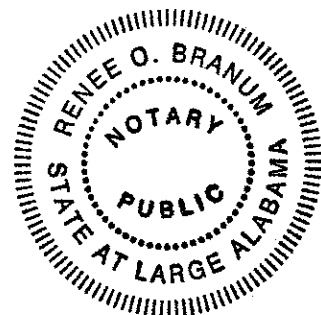
(334) 356-6529

Sworn to and subscribed before me on this 10<sup>th</sup> day of September, 2007



NOTARY PUBLIC

My commission expires: April 11, 2011



**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the U.S. Attorney's Office and the Federal Defender Program.

/s/ Tiffany B. McCord

TIFFANY B. MCCORD (ASB-3669-F69M)

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